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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

RED HAT, INC.,

Plaintiff,

v.

VIRTAMOVE, CORP.,

Defendant.

CASE NO. 5:24-CV-04740-PCP

**STIPULATION FOR EXTENSION TO
DEADLINES AND HEARING DATE
CONCERNING MOTION TO
DISMISS (DKT. 31) AND TO
CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE**

Judge: P. Casey Pitts
Complaint Filed: August 5, 2024

Pursuant to Civil L.R. 6-1, Plaintiff Red Hat, Inc. (“Red Hat”) and Defendant VirtaMove Corp. (“VirtaMove”) (collectively, “the parties”) hereby stipulate to provide (1) Red Hat with a 7-day extension of time to respond to VirtaMove’s Motion to Dismiss (“Motion,” Dkt. 31), such that the deadline is extended to October 17, 2024 and (2) VirtaMove a corresponding extension of time to file its reply in support of its Motion such that the deadline is extended to October 31, 2024. Further, pursuant to your Honor’s Standing Order for Civil Cases (“Standing Order”), in order to allow “at least 14 days between the final filing [of the Motion] and the hearing,” the parties respectfully request that the Court continue the Motion hearing date from October 31, 2024 to November 14, 2024 at 10:00 a.m.

Pursuant to your Honor’s Standing Order, the parties stipulate and request a continuance of the Initial Case Management Conference from November 7, 2024 at 10:00 a.m. to January 16, 2025 at 1:00 p.m., the first available hearing date that is “60 days or more after the [Motion] hearing.”

This is the second extension of time being stipulated to. The parties previously stipulated to a 30-day extension to VirtaMove’s deadline to answer or otherwise respond to the complaint, which was granted by the Court. Dkt. 29. The extension will not affect any other deadlines set by the Court.

Red Hat respectfully submits that it has good cause for the extension, which is needed to allow Red Hat to fully review and respond to VirtaMove’s various arguments and cited authorities in its motion to dismiss under both Fed. R. Civ. P. 12(b)(1) and 12(b)(2). This extension is not being sought for purpose of delay, but rather to ensure that Red Hat has adequate time to address the issues raised in VirtaMove’s Motion. Accordingly, the parties request that the Court grant the stipulation and enter the proposed Order filed herewith.

DATED: October 7, 2024

Respectfully submitted,

/s/ Brandon H. Brown

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DATED: October 7, 2024

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FILER'S ATTESTATION

I, Brandon Brown, in compliance with Civil Local Rule 5-1(i)(3), attest that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing's content, and have authorized the filing.

DATED: October 7, 2024

/s/ Brandon H. Brown

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